

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111 Application No. 09/058,170

REMARKS

Claims 1-48 are all the claims pending in the application.

Applicants have been requested to update the present application with information pertaining to related applications. The foregoing amendments are believed to be fully responsive to this request.

Claims 1, 11, 13, 23, 25, 35, 37, and 47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benton et al. (hereinafter Benton) (U.S. Patent No. 5,675,756) in view of Paterson et al. (hereinafter Paterson) (U.S. Patent No. 6,069,629). Claims 2-6, 14-18, 26-30, and 38-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benton in view of Paterson and further in view of Massaro et al. (hereinafter Massaro) (U. S. Patent No. 5,535,321). Claims 12, 24, 36, and 48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benton in view of Paterson and further in view of Bleizeffer et al. (hereinafter Bleizeffer (U.S. Patent No. 6,182,285). Claims 7, 19, 31, and 43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Benton in view of Paterson and Massaro and further in view of Bleizeffer. The Examiner has indicated that claims 8-10, 20-22, 32-34, 44-46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants respectfully traverse these rejections, and request reconsideration and allowance of the pending claims in view of the following arguments.

At the outset, Applicants note that Bleizeffer is not prior art to the present application for at least two reasons. First, the present application claims priority from the same provisional application as does Bleizeffer. Therefore, Bleizeffer was not filed before the present application. Second, even if Bleizeffer were filed before the present application, the inventorship is identical

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

to that of the present application. Therefore, assuming arguendo that the Examiner were applying Bleizeffer under 35 U.S.C. §§ 102(e)/103, Bleizeffer is not prior art under any subsection of 35 U.S.C. § 102. Therefore, Applicants submit that the rejection of claims 7, 12, 19, 24, 31, 36, 43 and 48 is improper, and should be withdrawn.

Independent claims 1, 13, 25, and 37 in the present application specifically recite, inter alia, a parameter input window wherein the user provides information to set or change the value of the parameter. The Examiner acknowledges that the primary reference, Benson, does not teach or suggest this feature, but instead relies on Paterson, which talks about changing graphical representation of parameters. However, as Applicants will discuss in greater detail below, there is nothing inherent or suggestive in Paterson, or in a Benson/Paterson combination, which would require a change in graphical representation to be construed as a change in the parameters themselves. These claims do not recite setting or changing of the graphical representation of the parameter. In other words, Applicants' independent claims recite the setting or changing of parameter values, not how these parameters are represented graphically.

Benton is directed to a system which allows a user to create software representations of devices, such as security and fire control structures (Benton at col. 1, lines 20-29). As noted by the Examiner, a device may have several parameters 32, 34, 36, 38 associated with it. In particular, parameters for a mixing tank may include a pressure parameter, speed parameter or a temperature parameter (Benton at col. 6, lines 40-46). Benton further describes that points 136 can be created for the physical parameters 32, 34, 36, 38 of multi-parameter physical devices 30 (Benton at col. 8, lines 7-10). The points 136 are designed and adapted to represent the physical devices 40 and physical parameters 38 (Benton at col. 8, lines 54-56). Accordingly, Benton

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

relates to a system that creates graphical representations of device parameters, but does not teach setting or changing of the value of the parameter.

Looking more closely at Benton reveals that each of the points that represent the physical parameters may be modified (Benton at col. 9, lines 9-13). However, Benton lacks any description relating to the setting or changing of the value of the parameters themselves. Accordingly, if Benton could be combined with another system, such as Paterson, the only things that could possibly be set or changed are the points that represent the physical parameters (i.e., the graphical representation). Thus, even if one of ordinary skill were to combine the Benton system with the Paterson teachings, there still would be no teaching or suggestion to change the value of the physical parameters themselves.

Put another way, a system resulting from a Benton-Paterson combination, if this were possible, would be a system that permits a user to set or change the graphical representation of a physical parameter. However, a system that permits a user to set or change graphical points that represent a physical parameter, clearly does not teach or suggest a system in which a user provides information to set or change the value of the parameters, as specifically recited in Applicants' independent claims.

It may be that the Examiner is construing the "graphical representation" change in Paterson to be an actual change in a parameter. Applicants submit that such a construction is unwarranted in light of Applicants' specification, which discusses "parameters" as parameter of a program, and not merely graphical representation. See, for example, Figs. 9 and 10 and accompanying description at page 15, line 12, to page 16, line 2; Fig. 12 and accompanying description at page 16, lines 19-25.

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

Massano does not supply any of the deficiencies of Benton and Paterson. Assuming arguendo that Massano teaches what the Examiner says it does, Massano still lacks teaching or suggestion of change of parameters.

For these reasons, even if one of ordinary skill in the art could have combined the teachings of Benton and Paterson, the resulting combination would not result in the invention recited in independent claims 1, 13, 25, and 37. Accordingly, independent claims 1, 13, 25, and 37, and their respective dependencies, are patentable.

Applicants submit that claims 11, 23, 35, and 47 are patentable at least by virtue of their dependence on their respective independent claims. However, Applicants provide the following additional comments.

Dependent claims 11, 23, 35, and 47 recite a feature that provides a step of preventing the user from selecting “to set or change” a value of the parameter. The Examiner asserts that Paterson discloses this claimed feature by providing the technique of using a CANCEL button to prevent the user from setting or changing the parameter value.

Applicants respectfully disagree, and point out that while a user of the Paterson system may select the CANCEL button, the user does not have to select the button. Since the user has the option to either select or not to select the CANCEL button, the user is not prevented from setting or changing the parameter. Paterson is simply providing the user with an option (i.e., to proceed or cancel), whereas the claims at issue specifically recite that the user is prevented from setting or changing the parameter. Accordingly, for these additional reasons, dependent claims 11, 23, 35, and 47 are patentable.

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

The Examiner has objected to claims 8-10, 20-22, 32-34, and 44-46 as being dependent upon a rejected base claim. At this time, Applicants respectfully decline the Examiner's invitation to rewrite these claims in independent form since they depend from patentable claims, as discussed above.

For the above-outlined reasons, Applicants submit that independent claims 1, 13, 25, and 37, and their respective dependencies, are therefore patentable. Accordingly, reconsideration and allowance of the above claims is respectfully and earnestly requested.

The Examiner's rejections having been overcome, Applicants submit that the subject application is in condition for allowance. The Examiner is respectfully requested to contact the undersigned at the telephone number listed below to discuss other changes deemed necessary. Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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Date: April 13, 2001

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Washington, D.C. 20231

Date: April 13, 2001
Signed: Sherry L. Cadman
Sherry L. Cadman



PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 1, first full paragraph:

This application claims the benefit of U.S. Provisional Application 60/069,628 filed December 15, 1997. This application is also related to the following applications, filed on the same day as the present application: Serial No. [] 09/058,171, entitled "Method And Apparatus For Polling Job Status On A Mainframe System"; Serial No. [], 09/058,172 entitled "Method And Apparatus Of Indicating Steps In A Task Which Have Been Completed"; Serial No. [] 09/058,138, entitled "Method And Apparatus For Performing A Health Check On A Database System"; and Serial No. [] 09/058,173, entitled "Method And Apparatus For Generating A Default List."

Pages 3-4, paragraph bridging pages 3 and 4:

The present invention further provides an improved method, apparatus and article of manufacture for checking the integrity of catalog and directory of databases before a migrate task, for example, is performed on the databases. This is done by performing a series of jobs to verify the integrity of the catalog and directory of databases.

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

Page 5, paragraph 12

FIG. 19 shows a window listing DB2 Installer options and [indicates] indicating whether or not the options are modifiable.

Pages 5-6, paragraph bridging pages 5 and 6:

A preferred embodiment of the present invention is described below in detail with reference to the accompanying drawings. The present invention will be described in the context of the DB2 database manager or system which assists a user of a workstation operating under an operating system such as Windows NT to load SMPE libraries, install, migrate, fallback, remigrate or update a complex database system on a mainframe computer with an operating system having a nonstandard file structure and lacking an application program interface (API) to a workstation operating system, e.g. an MVS or OS/390 mainframe computer. Windows NT is a trademark of the Microsoft Corporation, DB2 and MVS are registered trademarks of International Business Machines Corporation (IBM) and OS/390 is a trademark of IBM. The procedures are carried out at the workstation under control of the program. While the following discussion is presented in the context of a workstation operating under Windows NT and connected to an MVS or OS/390 mainframe computer with DB2, it is to be understood that the present invention is widely applicable to assisting the user through many interactions with complex programs on different systems.

Page 7, first full paragraph:

The various tasks which may be performed on DB2 will now be discussed in more detail. [In] It shall be understood, however, that tasks will vary from program to program and that the underlying invention will be more generally applicable to the initial setup of complex programs.

PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

Over time, there have been different versions of the DB2 database. If a user wishes to go from an old version to a new version, then a task known as migrate is performed. The present invention adds the capability to support this migration function on workstations operating, for example, under Windows NT. Most people who have bought the recently released Version 5 of DB2 already have Version 4. So rather than installing Version 5 of DB2 from a Windows NT workstation, the present invention provides the ability to take Version 4 of DB2 and migrate it to Version 5. The migration results in all the added functionality of Version 5.

Page 9, first full paragraph:

A connection between the workstation and the host is then established using, for example, a TCP/IP connection, although other types of connections are possible. The TCP/IP connection is used to send the jobs that were generated on the workstation to the host. The jobs are logged on a queue file called JES Queue. On MVS or OS/390, there is a normal file structure, which works just like it would in DOS or in any other operating system. The JES Queue is a little different in that it is a repository to which jobs are sent to be run on the host. It is the jobs which actually perform the work of installing the DB2 subsystem. After the jobs are run, return codes are generated and sent back to the workstation. These are used to inform the user at the workstation whether the job ran successfully or not. Feedback to the user as to the status of the job is easy to provide for a workstation operating under the OS/2 operating system, because OS/2 readily allows for access of status information from the JES Queue. OS/2 is a registered trademark of IBM. In OS/2, there is an API which allows [for] communication with the JES Queue using file transfer protocol (FTP). This API is needed to communicate with the JES Queue because the JES Queue is a repository which does not have a normal file structure.

PATENT APPLICATION

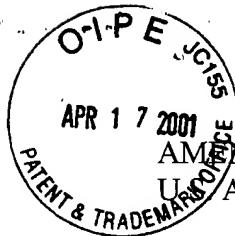
AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Application No. 09/058,170

Pages 16-17, paragraph bridging pages 16 and 17:

Turning now to Figure 14, displaying a window labeled "Version 5 New Defaults Summary," this shows the new defaults window. This particular TaskGuide window is another example where, preferably, the user has no choice but to follow through with some sort of action. However, this is one case where the user is not sent to an predefined install window. Rather, the user is sent to something called the new defaults summary. In DB2, every parameter has a default value. It is very common for a given user to keep the default value for particular parameters. For various reasons, when a new version of DB2 comes out, the default values might change. So, the complete list of DB2 parameters is examined to determine all the parameters whose default values have changed in the new version of DB2. Then, [these] those parameters, whose default values have changed, are examined to determine those of the parameters where, in Version 4 of DB2, the user accepted the default value of the parameters.

Page 20, third full paragraph:

As noted above, the foregoing discussion has been presented in the context of a migration task. It is to be noted that this discussion applies correspondingly to a user who wishes to perform a load SMPE libraries, install, fallback, remigrate or update task or any other similar tasks. For example, a user performing a fallback task may obtain job status through the continuous polling procedure discussed above. Similarly the fallback user can determine which steps of a task have been completed, can check the integrity of the database system and view the defaults list, all as discussed above.



PATENT APPLICATION

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IN THE ABSTRACT:

The abstract is changed as follows:

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A method and apparatus for compensating for deficiencies existing in programs to assist a user through installing a program. Polling the status of jobs requested by the user of a workstation is done so that the user may eventually be provided with status reports regarding the jobs being executed. The user can set parameters during loading of [SMPE] System Modification Program Extended (SMPE) libraries, install, migrate, fallback, remigrate and update procedures for the program. An indication is provided to a user of a workstation as steps of a task have been completed by the user. The health of catalog and directory databases may be verified before a migrate procedure is performed. The user of the program can be informed regarding parameters whose default values have changed, which parameters are of particular concern to the specific user.